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OCT 28 2004

In the United States Patent and Trademark Office

Application No. 09/871,560
of Alroy, Daniel
Filed on May 31, 2001

October 28, 2004
Art Unit 1631
FAX (703) 872-9306

Title:

Concepts and methods for identifying brain correlates of elementary mental states

**Hon. Commissioner of Patents and Trademarks
Washington, D. C.**

Attention: Mr. Andrew A. Kenedy, Examiner

Dear Mr. Kenedy:

I will telephone your office next week to arrange, if possible, a suitable time for a meeting. Please find enclosed a copy of my initial response to first Office Action, which I mailed yesterday through the Post Office.

I intend to send the Patent Office my Preliminary Amendment, and the three-month extension fee, by November 28, 2004.

Respectfully,

Daniel Alroy

Enc.

Daniel Alroy * 19 Stanton Street, NY, NY 10002 * 212 505-0110

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Title:

Concepts and methods for identifying brain correlates of elementary mental states

Hon. Commissioner of Patents and Trademarks
Washington, D. C.

Attention: Ms Marianne P. Allen, Primary Examiner

Dear Ms Allen:

Please find enclosed my response to the first Office Action dated July 28, 2004.
As an individual inventor, I have asked Patent Office assist in writing one claim.

Next week I will telephone the Patent Office to arrange, if possible, a time when I can meet with the examiner in order learn whether the draft of the Preliminary Amendment satisfies the restriction requirement and receive any suggestion that may be offered.

I intend to submit the Preliminary Amendment by November 28, 2004.

Respectfully,

Daniel Alroy

Enclosure: A draft of the Preliminary Amendment

Daniel Alroy * 19 Stanton Street, NY, NY 10002 * 212 505-0110

A DRAFT OF THE PRELIMINARY AMENDMENT

The Office Action from the Patent Office dated July 28, 2004 requires restriction of the patent application and associated claims. My response is based on the fact that the patent application consists of two parts as follows:

1. Concepts and methods for identifying brain loci correlates of elementary mental states
2. Concepts and methods for identifying the constitutively expressed proteins specific to said brain loci

The first part is self-contained, and is the necessary basis for the second part. I believe, therefore, that the best way for me to comply with the intent of the restriction requirement is to reformulate the claims accordingly. For this reason, I am replacing claims 1-5 with the new claim 6, which is restricted to the first part. I intend to file the consequent divisional patent applications during the examination period of the first patent application.

Claim 6 (new). A method for identifying brain loci that uniquely correlate with the qualitative aspect of any elementary mental state, such as a particular innate submodality element of sensation, comprising:

establishing correspondence between said submodality element of sensation with, on one hand, the external stimulus that normally elicits it, and on the other hand, with a voluntary behavioral response, so that said behavioral response signifies the presence of the said element of sensation, and the absence of said behavioral response signifies the absence of said element of sensation;

detecting brain loci that manifest transient increased activation immediately following said external stimulus and said corresponding behavioral response;

identifying, among the said brain loci that manifest increased activation, those whose deactivation selectively eliminates said behavioral response to said external stimulus, without eliminating behavioral responses to external stimuli that induce other elements of sensation within the same submodality.